

PART A – POLICY AND PROCEDURES

CHAPTER 5 - CODE AND OCCUPANCY REQUIREMENTS

1.0 General Information

- 1.1 DCC, on behalf of Secretary of Administration, is to develop and adopt standards for inspection and acceptance of projects for the construction of buildings and major repairs and improvements to buildings for state agencies ([K.S.A. 75-3783](#)). The standards and process developed for acceptance is outlined in this chapter. The processes include review and acceptance of code footprints, acceptance of construction documents for building codes (building, fire and life safety, electrical, mechanical and plumbing) and accessibility, acceptance of fire alarm and sprinkler shop drawing, code inspections of construction and issuance of Certificate of Occupancy Form 145.
- 1.2 Kansas State Fire Marshal Office (OKSFM) and DCC have a memorandum of understanding. DCC will act as single point of contact and will coordinate with OKSFM projects (as applicable in KAR 22-1-7), the reviews and acceptance of code footprints and temporary egress plans for construction on State property. DCC and OKSFM (as applicable in KAR 22-1-7) will both sign code footprints and accept temporary exit plans. DCC, acting on behalf of OKSFM, will perform reviews of fire alarm plans and sprinkler plans for all construction projects on State property and will perform necessary inspections during construction for code and code footprint compliance.
 - 1.2.1 Exception – In addition to DCC review, OKSFM will review fire alarm and sprinkler shop drawings and will perform construction inspections for Healthcare occupancies (facilities that receive Federal Center for Medicare and Medicaid Services (CMS) funding).
- 1.3 Effective dates of applicable building codes, accessibility laws and guidelines and energy codes for capital improvement construction projects in State Buildings are available under Code and ADAAG Compliance/List of Applicable Codes Form 110 at www.da.ks.gov/fp/. Project architects/engineers that contract with Department of Administration shall follow the applicable codes and accessibility laws attached to their contract.
- 1.4 Information regarding document submittal requirements for DCC review and DCC processing of submittals can be found in Part A - Chapter 4 of this manual.
- 1.5 Questions regarding the building code, accessibility or requests for building code interpretations are to be forwarded to DCC in a written format.
 - 1.5.1 The Request for Review Form 120 shall be utilized and may be e-mailed. (See Part A - Chapter 4 for general requirements on use of DCC forms and submittal requirements). Any drawings provided to illustrate the questions shall be identified with an DCC project number.
 - 1.5.2 Accessibility questions regarding new construction, additions and/or renovations should be forwarded to DCC. Accessibility questions regarding Title II program accessibility should be addressed to State ADA Coordinator. (Contact information can be found at www.da.ks.gov/fp/.)
 - 1.5.3 DCC will provide a written response to the individuals indicated on the Request for Review Form 120.
- 1.6 A permit to build will be granted when the code footprint, if applicable, and temporary egress plans, if applicable have been accepted by DCC / OKSFM and construction documents have been accepted by DCC. The permit to build is issued on the Project Acceptance Form 125.

- 1.7 DCC, on behalf of Secretary of Administration, has authority to authorize / accept occupancy. ([K.S.A. 75-1262](#) and [K.S.A. 76-757](#)). Certificate of Occupancy Form 150 will be issued by DCC prior to occupancy of any portion of a building that has been in construction or has a change in occupancy.

2.0 Code Footprint

- 2.1 Submittal requirements and processing of code footprint can be found in Part A - Chapter 4.
- 2.2 Code Footprint is a building and life safety code compliance document that contains both graphic and narrative information and that meets the requirements of ([K.A.R. 22-1-7](#)).
- 2.3 Code Footprints shall provide the following code and facility information:
- 2.3.1 Code footprints, and revised code footprints, shall include all requirements of ([K.A.R. 22-1-7](#)). The second page of the Request for Review Form 120 identifies the ([K.A.R. 22-1-7](#)) requirements.
- 2.3.2 Applicable codes are to be listed on the code footprint. This includes the codes and editions of the codes. If fire alarm or sprinkler system is installed or modified with the work on the code footprint, NFPA 72 and NFPA 13 and their edition is to be listed under applicable codes.
- 2.3.3 Existing conditions shall be identified and shall be noted as existing non-conforming if it is non-conforming. All new work shall be clearly identified.
- 2.3.4 All hazards are to be identified on the code footprint. This is to include hazardous materials and their quantities, any hazardous uses, and any special features such as locking devices being proposed for egress doors (except for I-3 occupancies where only the condition type need be identified in the code footprint narrative).
- 2.3.5 Alternative materials, design and methods of construction and equipment should be reviewed with DCC / OKSFM prior to the submittal of the code footprint. Each alternative material, design or method of construction is to be identified and justified on the code footprint. See the International Building Code for definition of alternative materials, design and methods of construction and equipment.
- 2.3.6 Identification of active life safety systems shall be listed as “required / not required” and “provided / not provided” and/or listed as existing non-conforming if applicable.

3.0 Accessibility Laws and Guidelines

- 3.1 Submittal requirements and processing of accessibility analysis can be found in Part A - Chapter 4.
- 3.2 All buildings on state owned property are subject to federal [28 CFR Part 35] and state accessibility laws, ([K.S.A. 58-1301 et seq](#)), which mirror title II of the Americans with Disabilities Act (ADA).
- 3.2.1 Americans with Disabilities Act Accessibility Guidelines (ADAAG), 1991 governs all state building construction and renovation projects. The Reviser of Statutes has recommended technical changes which the State ADA Coordinator will recommend through the Legislative process for the upcoming session.
- 3.2.2 As of March 15, 2012, in addition to the above guidelines, 2010 Design Standards are the effective federal accessibility requirements.

- 3.2.3 Both the 1991 ADAAG and 2010 ADA Standards will apply and are required to be noted on the code footprint.
- 3.2.4 When the 1991 ADAAG and 2010 ADA Standards have differences, those differences shall be brought to the attention of DCC. The State ADA Coordinator will review for determination of application. DCC and State ADA Coordinator encourage the Project Architect/Engineer and Owner to identify differences in the early phases of design and forward for review.
- 3.3 The Project Architect/Engineer is responsible for compliance with Section 3.2 where applicable on all new construction, additions and renovation projects. DCC and the state ADA coordinator will review all projects for compliance with appropriate accessibility guidelines and applicable title II requirements during all phases of a project. ([K.S.A. 58-1304](#)).
- 3.4 Any ADAAG or 2010 design standards or Title II issues, including program accessibility, will be resolved by the state ADA coordinator. (Contact information can be found at www.da.ks.gov/fp/.)
Note: There appears to be stronger integration of program and policy requirements in areas such as higher education facilities in Part 35 policy regulations.
- 3.5 The following is a list of accessibility elements commonly omitted on projects. This list is provided for the benefit of the Project Architect/Engineer. This list is not all inclusive and does not relieve the Project Architect/Engineer from the burden of complying with current accessibility standards required by the state of Kansas.
 - 3.5.1 Multistory governmental facilities are required to have at least one passenger elevator. Single story buildings with a code compliant mezzanine are not considered multistory facilities.
 - 3.5.2 Path of travel requirements are triggered when alterations are being made to a primary function area of a facility, and up to 20% of the construction budget is required to make alterations to meet path of travel requirements.
 - 3.5.3 Accessibility improvements that are required to make a facility accessible to individuals with disabilities shall be provided in the base bid contract, except when the project is limited solely to accessibility improvements.
 - 3.5.4 Dispersion of accessible seating in assembly areas with > 50 occupants.
 - 3.5.5 Parking and drop off areas.
 - 3.5.6 Exterior accessible routes.
 - 3.5.7 Required number of accessible entrances and exits.
 - 3.5.8 Door opening forces.
 - 3.5.9 Control mechanisms, operable by the public, such as automatic door openers, elevator hall call buttons, door handles, light switches, and etc. should be no higher than 38".
 - 3.5.10 Reception counters.
 - 3.5.11 Areas of rescue assistance requirements.

3.5.12 Accessible means of egress (2010 ADA Standards – After consultation with State ADA Coordinator and OKSFM it has been determined the 2006 IBC will be the referenced code for this requirement.)

3.5.13 Fire alarm requirements.

4.0 Construction Separation and Temporary Egress Plans

4.1 IFC 2006 and NFPA 241 are applicable for construction occurring when a building is occupied. Per the IFC/NFPA documents, temporary separation walls is required and shall be identified on construction separation and temporary egress plans.

4.2 Submittal requirements and processing of construction separation plans can be found in Part A - Chapter 4.

5.0 Energy Code Compliance

5.1 All new buildings or additions and all buildings renovated, retrofitted or repaired shall comply with 2006 Edition of the International Code (IECC) or ASHRAE 90.1-2007 or as an alternative the Project Architect/Engineer may seek to comply with a functionally equivalent standard as provided in K.A.R.1-67-2 AND 1-67-3.

5.1.1 When the project is a renovation, retrofit or repair compliance will only be required on systems or components being replaced or altered.

5.2 The Project Architect/Engineer shall attest compliance as follows:

5.2.1 Indicate as directed on Review Architectural or Engineering Form 121a and 121b.

5.2.2 If the project complies with ASHRAE or IECC additional documentation is not required.

5.2.3 If the Project Architect/Engineer is seeking compliance with a functionally equivalent standard, a report as required in K.A.R.1-67-2 and 1-67-3 will be required to be submitted. Information is received and filed by DCC. DCC will not review or certify acceptance of the information provided.

6.0 Construction Document Reviews

6.1 Submittal requirements and processing of construction documents can be found in Part A - Chapter 4.

6.2 Final construction documents sealed by a Project Architect/Engineer are to be submitted to receive a permit to build.

6.3 Construction documents are to contain adequate information so compliance with applicable building codes and accessibility laws and guidelines can be determined. The Construction Documents Checklist Form 123 available at www.da.ks.gov/fp/ outlines required information to be provided.

6.4 A statement of special inspection shall be provided per applicable building codes. The Project Architect/Engineer may reference the project specifications in lieu of a separate statement.

7.0 Fire Alarm and/or Sprinkler Shop Drawings

7.1 DCC, acting on behalf of OKSFM will perform reviews of fire alarm and sprinkler shop drawings. In addition to DCC review, OKSFM will review fire alarm and sprinkler shop drawings for

Healthcare occupancies (facilities that receive Federal Center for Medicare and Medicaid Services (CMS) funding). DCC will coordinate the OKSFM review of these shop drawings.

- 7.2 Submittal requirements and processing of fire alarm and sprinkler shop drawings can be found in Part A - Chapter 4.
- 7.3 Installation of the systems shall not begin until Project Acceptance Record Form 125 has been issued.
- 7.4 A complete fire alarm shop drawing submittal shall include all necessary drawings, calculations and product information compliant with NFPA 72 working drawings.
- 7.5 A complete sprinkler shop drawing submittal shall include all necessary drawings, calculations and product information compliant with NFPA 13 / 13R working drawings and shall be sealed by a licensed professional engineer.

8.0 Required DCC Code Inspections

- 8.1 It is the responsibility of the Owner and/or the Project Architect/Engineer to verify the Contractor is contacting DCC to schedule construction inspections. ([K.S.A. 75-3783](#))
- 8.2 DCC performs required code inspections during construction for the Secretary of Administration and on behalf of the OKSFM except as noted. These inspections are required for Certificate of Occupancy Form 150. ([K.S.A. 75-1262](#) and [K.S.A. 76-757](#))
 - 8.2.1 Healthcare occupancies (such as state hospitals and KUMED Hospital) and childcare occupancies require joint inspection by DCC and OKSFM. OKSFM is to be scheduled for a 50% construction inspection and the final inspection. OKSFM is to be scheduled by contacting their main office at 785-296-3401 and it is the responsibility of the Owner to verify scheduling meets OKSFM timeframes. It shall be the responsibility of the Owner to verify the Contractor has scheduled and coordinated the DCC /OKSFM inspectors for this joint inspection.
 - 8.2.2 OKSFM may perform construction inspections on other Capital Improvement Projects. Owners shall coordinate the OKSFM requirement for inspections with OKSFM.
- 8.3 DCC inspector shall be scheduled for the following required code inspections (if component is included in the project). Reference Required Inspections Form 130 for descriptions:
 - 8.3.1 Construction Separation and Temporary egress if existing building is occupied
 - 8.3.2 Footings and Foundations
 - 8.3.3 Underfloor / Underslab
 - 8.3.4 MEP Underground (not associated with underfloor / underslab)
 - 8.3.5 Framing
 - 8.3.6 In-wall
 - 8.3.7 Fire-resistive assemblies and fire-resistant penetrations
 - 8.3.8 Above ceiling
 - 8.3.9 Fire Alarm
 - 8.3.10 Sprinkler and standpipe
 - 8.3.11 Emergency lighting
 - 8.3.12 Back-up Power Sources
 - 8.3.13 Fire Pump
 - 8.3.14 Elevator (witness the load testing and verify accessibility)
 - 8.3.15 Roof inspections, including tear-off, insulation, membrane placement, flashing
 - 8.3.16 Emergency Power
 - 8.3.17 Smoke Control Systems

- 8.3.18 Pressure testing of Piping
- 8.3.19 Locking systems
- 8.3.20 Final inspections (including exit path and accessibility verification.)
- 8.4 An DCC Project Number must be issued and a Permit to Build (Project Acceptance Form 125) issued prior to scheduling a code inspection. The fire alarm and sprinkler shop drawings must be accepted by DCC prior to scheduling a code inspection for the fire alarm and/or sprinkler installation.
- 8.5 The required code inspections listed above shall be coordinated with DCC inspector via individual cell telephones. Telephone contact is to be a minimum of 3 working days prior to anticipated inspection. DCC inspectors do not have continual access to e-mail and therefore, e-mail contact does not constitute timely contact. Inspection confirmation may occur via e-mail.
- 8.6 If the DCC inspector has available time within his work schedule, the inspection may not be subject to the minimum 3 working days.
- 8.7 It shall be the responsibility of the Project Architect/Engineer or Owner to assure the minimum 3 working day notice is being maintained.
- 8.8 DCC inspectors can defer code inspections as follows:
 - 8.8.1 DCC inspector to review installation and set standard by which installation will be inspected. First inspection of a component is to be completed by DCC inspector.
 - 8.8.2 Owner, Contractor or Project Architect/Engineer is to contact DCC inspector for all required code inspections.
 - 8.8.3 Inspector will indicate availability to make an inspection. Inspector will determine if he, another DCC employee, Project Architect/Engineer or Owner can perform inspection. Inspector will inform Contractor and agency representative regarding who will be performing inspection
 - 8.8.4 If Owner or Project Architect/Engineer personnel perform inspection, the installation will be documented with pictures. Personnel performing inspection shall forward pictures to DCC Inspector with a completed Deferred Inspection Record Form 140.
 - 8.8.5 DCC inspector (or other DCC personnel) will not defer and shall be present at the following code required inspections: fire alarm system, sprinkler system, fire pump, standpipes, back-up power sources, emergency lighting, accessibility and final inspection.
- 8.9 DCC inspector will complete an Inspection Record Form 135 for each inspection. A copy of this form will be e-mailed to the Owner. It is the responsibility of the Owner to forward to the Project Architect/Engineer and Contractor.
- 9.0 Certificate of Occupancy
 - 9.1 A Certificate of Occupancy Form 150 will be issued electronically via e-mail when all applicable items have been verified acceptable by DCC as outlined on the Occupancy Checklist Form 145 and per this section. This checklist is available at www.da.ks.gov/fp/. A Certificate of Occupancy will not be issued to a project that does not have an DCC project number.
 - 9.2 Certificate of Occupancy for health care occupancies such as state nursing homes, state hospitals and KUMED Hospital and for childcare occupancies (licensed by KDHE) require inspection by DCC and OKSFM.

- 9.2.1 Certificate of Occupancy will be issued when DCC and OKSFM inspectors have performed the final inspection and indicated their acceptance. Failure to schedule DCC and OKSFM for an inspection will result in denial of occupancy.
- 9.2.2 When a certificate of occupancy is requested by these types of occupancies, DCC will contract OKSFM to verify their acceptance for occupancy.
- 9.3 A Certificate of Occupancy Form 150 will be issued by DCC when DCC personnel and OKSFM (as required in 9.2) have determined life safety systems and accessibility are compliant and as follows:
 - 9.3.1 Occupying a portion of a project:
 - 9.3.1.1 Floor plan is submitted per Part A – Chapter 4.
 - 9.3.1.2 If the project was not bid through DCC plan room, the Contractor shall agree in writing to complete and correct all work for the project in accordance with contract documents within a time specified after the date of such occupancy.
 - 9.3.1.3 If the project was bid through DCC plan room, in addition to 9.3.1.1, the Certificate Substantial Completion Form 570 along with Project Architect/Engineers punch list will need to be issued and signed by the Contractor and forwarded to DCC.
 - 9.3.2 Occupying a project that is substantially complete (Contractor has a list of items to complete):
 - 9.3.2.1 If the project was not bid through DCC plan room, the Contractor shall agree in writing to complete and correct all work for the project in accordance with contract documents within a time specified after the date of such occupancy.
 - 9.3.2.2 If the project was bid through DCC plan room, the Certificate Substantial Completion Form 570 along with Project Architect/Engineers punch list will need to be issued and signed by the Contractor and forwarded to DCC.
 - 9.3.3 Occupying a project that is complete (Contractor has completed all contract document items):
 - 9.3.3.1 This applies to project bid through DCC plan room. The Project Architect/Engineer and Owner recommends by e-mail to DCC the project is complete and the Project Architect/Engineer routes the Certificate of Project Completion Form 575 (Reference Part B – Chapter 6).

END OF CHAPTER